

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

In re M&T Bank Corporation ERISA Litigation

**Civil Action No.: 1:16-cv-375-FPG-JJM
Consolidated Action**

**PLAINTIFFS' NOTICE OF MOTION AND MOTION FOR APPROVAL OF ATTORNEYS' FEES,
EXPENSES AND CLASS REPRESENTATIVE SERVICE AWARDS**

PLEASE TAKE NOTICE, that Plaintiffs Jacqueline Allen, Russ Dixon, Sa'ud Habib, Kenneth Sliwinski, J. Marlene Smith, and Beverly Williams (collectively "Plaintiffs") will and hereby do move this Court for an Order awarding: (1) attorneys' fees in the amount of \$6,950,000 (one-third of the Settlement Fund) to Class Counsel; (2) reimbursement of \$169,968.23 in expenses that Class Counsel incurred in connection with this action; (3) settlement administration expenses in the amount of \$91,322; and (4) service awards in the amount of \$10,000 to each of the named Plaintiffs (\$60,000 total).

This motion is scheduled to be heard at the time of the Fairness Hearing on September 3, 2020 at 2:00 p.m. in the Genesee Courtroom (6th floor West) of the Robert H. Jackson U. S. Courthouse, 2 Niagara Square, Buffalo, New York. This motion is made pursuant to Federal Rule of Civil Procedure 23(h) and Article 8 of the Parties' Class Action Settlement Agreement (ECF No. 159-1), and is based the accompanying Memorandum of Law and authorities cited therein; the Declarations of Kai Richter, Joseph Meltzer, and Melanie Wolk; the declarations previously submitted by the Class Representatives (ECF Nos. 160-165); the

Parties' Class Action Settlement Agreement; the Court's Preliminary Approval Order (ECF No. 168); and all files, records and proceedings in this matter.

Defendants do not oppose this motion as parties to the Settlement.

Dated: June 24, 2020

Respectfully submitted,

By: /s/ Kai Richter

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